

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number	: 7,201,911	Group Art Unit: 1633
Name of Patentee	: Yanagi et al.	
Title	: CLONED GENOMES OF INFECTIOUS HEPATITIS C VIRUSES AND USES THEREOF	
Issued	: April 10, 2007	

**REQUEST TO
"MAKE OF RECORD" NOTED ERRORS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Errors by the Patent and Trademark Office have been noted in the recently issued above-identified Letters Patent as follows:

SEE ATTACHED

Since these are inconsequential errors, a Certificate of Correction is not needed, but it is requested that this Letter be made of record by being included in the patent file.

Please charge any fees to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: October 31, 2007

By: 

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Issued Patent Proofing Form
Proofread By: Alka (08/07/2007)

File #: NIH258.001DV1

US Serial No.: 09/662,454

US Patent No.: US 7,201,911 B1

Issue Date: Apr. 10, 2007

Title: CLONED GENOMES OF INFECTIOUS HEPATITIS C VIRUSES AND USES THEREOF

PR Instructions: Whole Patent

Sr. No.	Original		Issued Patent		Description of Errors
	Page	Line	Column	Line	
1	Page 1 Issue Fee Payment (PTO-85B) (03/02/2007)	1 (Name of Assignee)	First Page Col. 1 (Assignee)	1	Before "United States" insert -- The Government of the --.
2	Page 1 of 1 List of references cited by examiner (04/09/2002)	Entry 2 Line 2 (Non-Patent Documents)	First Page Col. 2 (Other Publications)	4	Delete "Cofirmation," and insert -- Confirmation, --, therefor.
3	Page 1 of 1 List of references cited by examiner (01/27/2006)	Entry 1 Line 1 (Non-Patent Documents)	First Page Col. 2 (Other Publications)	6	Delete "chllenge" and insert -- challenge --, therefor.
4	Sheet 1 of 4 List of References cited by applicant and considered by examiner (04/09/2002)	Entry 2 Line 2 (Other Documents)	First Page Col. 2 (Other Publications)	16	Delete "pp/" and insert -- pp. --, therefor.
5	Sheet 2 of 4 List of References cited by applicant and considered by examiner (04/09/2002)	Entry 1 Line 2 (Other Documents)	First Page Col. 2 (Other Publications)	24	Delete "transfeded" and insert -- transfected --, therefor.
6	Sheet 2 of 4 List of References cited by applicant and considered by examiner (04/09/2002)	Entry 2 Line 3 (Other Documents)	First Page Col. 2 (Other Publications)	30	After "vol." delete "69," and insert -- 69, --, therefor. (Consider Space)
7	Sheet 2 of 4 List of References cited by applicant and considered by examiner (04/09/2002)	Entry 3 Line 2 (Other Documents)	First Page Col. 2 (Other Publications)	33	Delete "thehypervariable" and insert -- the hypervariable --, therefor. (Consider Space)
8	Sheet 3 of 4 List of References cited by applicant and considered by examiner (04/09/2002)	Entry 1 Line 2 (Other Documents)	First Page Col. 2 (Other Publications)	42	After "No. 6" insert --, --.

9		Sheet 3 of 4 List of References cited by applicant and considered by examiner (04/09/2002)	Entry 3 Line 1 (Other Documents)	First Page Col. 2 (Other Publications)	46	Delete "Heptatis" and insert - - Hepatitis - -, therefor.
10		Sheet 3 of 4 List of References cited by applicant and considered by examiner (04/09/2002)	Entry 4 Line 1 (Other Documents)	Page 2 Col. 1 (Other Publications)	1	Delete ""Structure" and insert - - "Structural" - -, therefor.
11		Sheet 4 of 4 List of References cited by applicant and considered by examiner (04/09/2002)	Entry 1 Line 1 (Other Documents)	Page 2 Col. 1 (Other Publications)	4	Delete "Enymatic" and insert - - Enzymatic - -, therefor.
12		Sheet 4 of 4 List of References cited by applicant and considered by examiner (04/09/2002)	Entry 1 Line 1 (Other Documents)	Page 2 Col. 1 (Other Publications)	4	Delete "Activites" and insert - - Activities - -, therefor.
13		Sheet 1 of 2 List of References cited by applicant and considered by examiner (12/05/2006)	Entry 3 Line 1 (Non Patent Literature Documents)	Page 2 Col. 1 (Other Publications)	21	After "Houghton" delete "M." and insert - - M, - -, therefor.
14		Sheet 1 of 2 List of References cited by applicant and considered by examiner (12/05/2006)	Entry 4 Line 1 (Non Patent Literature Documents)	Page 2 Col. 1 (Other Publications)	25	After "Puig" delete "M." and insert - - M, - -, therefor.
15		Sheet 1 of 2 List of References cited by applicant and considered by examiner (12/05/2006)	Entry 6 Line 3 (Non Patent Literature Documents)	Page 2 Col. 2 (Other Publications)	1	Delete "gentic" and insert - - genetic - -, therefor.
16		Sheet 2 of 2 List of References cited by applicant and considered by examiner (12/05/2006)	Entry 2 Line 2 (Non Patent Literature Documents)	Page 2 Col. 2 (Other Publications)	22	Delete "persistance," and insert - - persistence, - -, therefor.

17	Sheet 2 of 2 List of References cited by applicant and considered by examiner (12/05/2006)	Entry 4 Line 1 (Non Patent Literature Documents)	Page 2 Col. 2 (Other Publications)	27	Delete "Braky" and insert -- Brasky --, therefor.
18	Page 7 Drawings (09/14/2000)	18 (FIG. 4D)	Sheet 7 of 49 (FIG. 4D)	18	Below "6400" delete "6900" and insert -- 6450 --, therefor.
19	Page 7 Drawings (09/14/2000)	19 (FIG. 4D)	Sheet 7 of 49 (FIG. 4D)	19	Above "6550" delete "6950" and insert -- 6500 --, therefor.
20	Page 13 Drawings (09/14/2000)	2 (Below Figure) (FIG. 6)	Sheet 13 of 49 (FIG. 6)	2 (Below Figure)	Delete "(infextious" and insert -- (infectious - , therefor.
21	Page 1 Specification (09/14/2000)	6	1	8	After "1997" insert - - - -.
22	Page 7 Specification (09/14/2000)	33	4	43	Delete "pH50 ₁)," and insert - - pH50 ₁). - -, therefor.
24	Page 9 Specification (09/14/2000)	6	5	21	After "nucleotide" insert -- sequence - -.
24	Page 9 Specification (09/14/2000)	9	5	23	After "amino acid" insert -- sequence - -.
25	Page 9-10 Specification (09/14/2000)	36 and 1	5	49 (Approx.)	Delete "Cons-p 9." and insert -- Cons-p9. - -, therefor. (Consider Space)
26	Page 10 Specification (09/14/2000)	20	6	2	After "study)" insert - - - -.
27	Page 10 Specification (09/14/2000)	21	6	3	Delete "HVR 1" and insert -- HVR1 - -, therefor. (Consider Space)
28	Page 1 Miscellaneous Incoming Letter (09/14/2000)	14 (Preliminary Amendment)	6	3	Before "SEQ ID" insert - - (- -.
29	Page 1 Miscellaneous Incoming Letter (09/14/2000)	15 (Preliminary Amendment)	6	4	After "45" insert - -) - -.
30	Page 1 Miscellaneous Incoming Letter (09/14/2000)	15 (Preliminary Amendment)	6	4	Before "SEQ" insert - - (- -.
31	Page 1 Miscellaneous Incoming Letter (09/14/2000)	16 (Preliminary Amendment)	6	5	After "46" insert - -) - -.

32	Page 10 Specification (09/14/2000)	32	6	15	Before "pCV-H77C)" insert - - (- -.
33	Page 11 Specification (09/14/2000)	5-6	6	31	Delete "pCv-J4L6S" and insert - - pCV-J4L6S - -, therefor.
34	Page 11 Specification (09/14/2000)	20	6	47	Before "FIGS." insert - - and - -.
35	Page 11 Specification (09/14/2000)	21	6	47	After "amino acid" insert - - sequence - -.
36	Page 11 Specification (09/14/2000)	31	6	57	After "1a/1b" insert - - clone - -.
37	Page 11 Specification (09/14/2000)	34	6	60	Delete "pCV-H77C," and insert - - pCV-H77C - -, therefor.
38	Page 2 Miscellaneous Incoming Letter (09/14/2000)	20 (Preliminary Amendment)	6	66	Delete "NO:65)," and insert - - NO:65) - -, therefor.
39	Page 17 Specification (09/14/2000)	23	9	62	Delete "pCv." and insert - - pCV. - -, therefor.
40	Page 27 Specification (09/14/2000)	30	15	8 (Approx.)	Delete "calorimetric" and insert - - colorimetric - -, therefor.
41	Page 30 Specification (09/14/2000)	3	17	22 (Approx.)	Delete "Ti" and insert - - T1 - -, therefor.
42	Page 30 Specification (09/14/2000)	31-32	17	51 (Approx.)	Delete "PGEM-9zf(-)" and insert - - pGEM-9zf(-) - -, therefor.
43	Page 31 Specification (09/14/2000)	9	17	65	Delete "6° C." and insert - - 68° C. - -, therefor.
44	Page 32 Specification (09/14/2000)	15	18	53 (Approx.)	Delete "H77Consensus" and insert - - H77 Consensus - -, therefor. (Consider Space)
45	Page 32 Specification (09/14/2000)	32	19	5	Delete "3° C." and insert - - 37° C. - -, therefor.
46	Page 33 Specification (09/14/2000)	2	19	10	Delete "-8° C." and insert - - -80° C. - -, therefor.
47	Page 33 Specification (09/14/2000)	19	19	27 (Approx.)	Delete "(p.i)" and insert - - (p.i.) - -, therefor.
48	Page 38 Specification (09/14/2000)	17	22	11	Before "other" delete "a".

49	Page 40 Specification (09/14/2000)	3	23	3	Delete “-8° C.” and insert - - -80° C. - -, therefor.
50	Page 40 Specification (09/14/2000)	12	23	12 (Approx.)	Delete “H3X58R” and insert - - H3’X58R - -, therefor.
51	Page 41 Specification (09/14/2000)	5-6	23	41	Delete “(5’AGGATGGC” and insert - - (5’-AGGATGGC - -, therefor.
52	Page 3 Miscellaneous Incoming Letter (09/14/2000)	7 (Preliminary Amendment)	23	42	After “-3’”) insert - - SEQ ID - -.
53	Page 41 Specification (09/14/2000)	11	23	47	Delete “6° C.” and insert - - 67° C. - -, therefor.
54	Page 46 Specification (09/14/2000)	25	26	39 (Approx.)	Delete “(0.34k)” and insert - - (0.34%) - -, therefor.
55	Page 51 Specification (09/14/2000)	26	26	29 (Approx.)	Delete “DCV-H77C” and insert - - pCV-H77C - -, therefor.
56	Page 54 Specification (09/14/2000)	2	30	43 (Approx.)	Delete “ <i>Hepatolocy</i> ” and insert - - <i>Hepatology</i> - -, therefor.
57	Page 54 Specification (09/14/2000)	5	30	45 (Approx.)	Delete “ <i>Helatolocy</i> ” and insert - - <i>Hepatology</i> - -, therefor.
58	Page 55 Specification (09/14/2000)	16	31	19	Delete “ <i>Hepatolocy</i> ” and insert - - <i>Hepatology</i> - -, therefor.
59	Page 56 Specification (09/14/2000)	5	32	8 (Approx.)	Delete “ <i>Virolocy</i> ” and insert - - <i>Virology</i> - -, therefor.

* * * OBSERVATIONS * * *

1. In the Reference Files, **List of references cited by examiner (04/09/2002)**, Page 1 of 1, Entry 1, under “**Non-Patent Documents**” and **List of References cited by applicant and considered by examiner (04/09/2002)**, Sheet 2 of 4, Entry 2, under “**Other Documents**”, respectively, are given as follows:

Byoung J. Yoo et al, Transfection of a Differentiated Human Hepatoma Cell Line (Huh7) with In Vitro-Transcribed Hepatitis C Virus (HCV) RNA and Establishment of a Long-Term Culture Persistently Infected with HCV, Jan. 1995, p. 32-38, vol. 69, No. 1.

Yoo et al, “Transfection of a Differentiated Human Hepatoma Cell Line (Huh7) with In Vitro-Transcribed Hepatitis C Virus (HCV) RNA and Establishment of a Long-Term Culture Persistently Infected with HCV”, Journal of Virology, vol. 69, No. 1, Jan. 1995, pp. 32-38.

The above two Entries seem to be **similar** and both the Entries have been incorporated in the **Issued Patent**.

2. In the Reference Files, **List of references cited by examiner (04/09/2002)**, Page 1 of 1, Entry 2, under “**Non-Patent Documents**” and **List of References cited by applicant and considered by examiner (04/09/2002)**, Sheet 1 of 4, Entry 3, under “**Other Documents**”, respectively, are given as follows:

Nelson Fausto, Editor-in-Chief, Replication of Hepatitis C Virus in Tissue Culture: A Potential Breakthrough in Need of Confirmation, vol. 151, No. 2, Aug. 1997.

Fausto, "Replication of Hepatitis C Virus in Tissue Culture: A Potential Breakthrough in Need of Confirmation", American Journal of Pathology, vol. 151, No. 2, Aug. 1997, p. 361.

The above two Entries seem to be **similar** and both the Entries have been incorporated in the **Issued Patent**.

3. According to **Preliminary Amendment (09/14/2000)**, Pages 2–3, SEQ ID NO: 7, SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, SEQ ID NO: 12, SEQ ID NO: 13, SEQ ID NO: 14, SEQ ID NO: 15 and SEQ ID NO: 17 should be inserted after “H9261F”, “H3’X58R”, “H9282F”, “H3’X45R”, “H9375F”, “H3’X-35R”, “H9386F”, “H3’X-38R”, “H1” and “H941R”, respectively, in TABLE 1. However, in the **Issued Patent** all the insertions have been made above the corresponding numbers.

4. According to **Preliminary Amendment (09/14/2000)**, Pages 2–3, SEQ ID NO: 7, SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, SEQ ID NO: 12, SEQ ID NO: 13, SEQ ID NO: 14, SEQ ID NO: 15 and SEQ ID NO: 17 should be inserted after “H9261F”, “H3’X58R”, “H9282F”, “H3’X45R”, “H9375F”, “H3’X-35R”, “H9386F”, “H3’X-38R”, “H1” and “H941R”, respectively, in TABLE 1. However, **SEQ ID NO: 16** is missing which seems inappropriate and it should be incorporated after “A1” on Col. 17, Line 6 (Approx.) of **Issued Patent**.